



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/088,280      | 03/15/2002  | Magnus Lidman        | 230.016             | 8751             |

7590                    08/13/2003

David D Stein  
Boyle Predrickson Newholm Stein & Gratz  
250 Plaza Suite 1030  
250 East Wisconsin Avenue  
Milwaukee, WI 53202

[REDACTED] EXAMINER

[REDACTED] CHAUDHRY, SAEED T

[REDACTED] ART UNIT

[REDACTED] PAPER NUMBER

1746

DATE MAILED: 08/13/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                              |                  |
|------------------------------|------------------------------|------------------|
| <b>Office Action Summary</b> | Application No.              | Applicant(s)     |
|                              | 10/088,280                   | LIDMAN, MAGNUS   |
|                              | Examiner<br>Saeed T Chaudhry | Art Unit<br>1746 |

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 20 February 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-19 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                          | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>Sp</u> . | 6) <input type="checkbox"/> Other: _____ .                                   |

## **DETAILED ACTION**

Applicant's preliminary amendments and remarks filed July 18, 2002 have been acknowledged by the examiner and entered. Claims 1-19 are pending in this application for consideration.

### **Oath/Declaration**

The oath or declaration is defective. A new oath or declaration in compliance with 37 C.F.R. § 1.67(a) identifying this application by its Serial Number and filing date is required. See M.P.E.P. §§ 602.01 and 602.02.

The oath or declaration is defective because:

It does not include the date of execution. A new oath will not be required if a certificate from the notary giving the actual date when the oath was made is supplied.

### **Claim Objections**

Claim 12 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 12 do not further limit the apparatus limitations. Claim 2 include a process limitation "cleaning fluid is introduced".

### **Claim Rejections - 35 USC § 112**

**Claims 1-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Claims 1, 8 and 10 disclose a list of elements with no functional relationship between each other.

Claim 1 recite "a vacuum supply system", "milk line system and milk storage means during cleaning of the milk line system" and pressure regulating means" but it is not clear where

these system connected to other elements of the milking plant and how the closed system is formed.

Claim 1 recites the limitation "first valve" in last line. There is insufficient antecedent basis for this limitation in the claim.

Claim 2 recite "cleaning fluid supply line system", "a cleaning fluid washer", "cleaning fluid return pump", "thereby obtaining a closed fluid communication loop". It is not clear how this loop is formed.

Claim 10 recite "a valving arangment" and "a vacuum supply". It is not clear where these elements are located and connected and how it prevent cleaning fluid in the cleaning fluid conduit from entering the milk conduit.

Claim 11 recite "transport line", "a vacuum supply", "a milking vacuum system". It is not clear how these elements are arranged and connected.

Claim 12 is improper under U.S.C. 112, second paragraph because it includes process limitations.

Claim 18 recite "transport line", "a vacuum supply", "a milking vacuum system". It is not clear how these elements are arranged and connected.

#### **Allowable Subject Matter**

Claims 1-19 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112.

#### **Reasons For Allowable Subject Matter**

**The following is an Examiner's statement of reasons for the indication of allowable subject matter:**

The claims are allowable in view of the amendments to the claims, which clearly differentiate the invention from the prior art.

Art Unit: 1746

None of the prior art discloses or suggests an apparatus or method for cleaning milk plant, wherein a vacuum is provided in a cleaning fluid circulation loop which provide lower fluid pressure than the milk storage means.

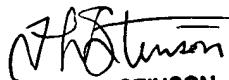
*Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saeed T. Chaudhry whose telephone number is (703) 308-3319. The examiner can normally be reached on Monday-Friday from 9:30 A.M. to 5:00 P.M.*

*If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Gulakowski Randy, can be reached on (703)-308-4333. The fax phone number for this Group is (703)-305-7719.*

*When filing a FAX in Gp 1700, please indicate in the Header (upper right) "Official" for papers that are to be entered into the file, and "Unofficial" for draft documents and other communication with the PTO that are for entry into the file of the application. This will expedite processing of your papers.*

*Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0651.*

Saeed T. Chaudhry  
August 4, 2003

  
FRANKIE L. STINSON  
PRIMARY EXAMINER  
GROUP 3400 1100